



NOTICE OF PUBLIC HEARING SITEPLAN CONDITIONAL USE PERMIT

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Este aviso le informa de una audiencia pública tratando de un propuesto desarrollo o cambio dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-2193.

Mailing Date: 10/11/2013

Case Number: SPC-2013-0196C

The City of Austin has sent this letter to inform you that we have received an application for a site plan that requires approval by a Land Use Commission (either the Planning Commission or the Zoning and Platting Commission). We are notifying you because City Ordinance requires that all property owners within 500 feet, residents who have a City utility account address within 500 feet, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet be notified when the City receives an application.

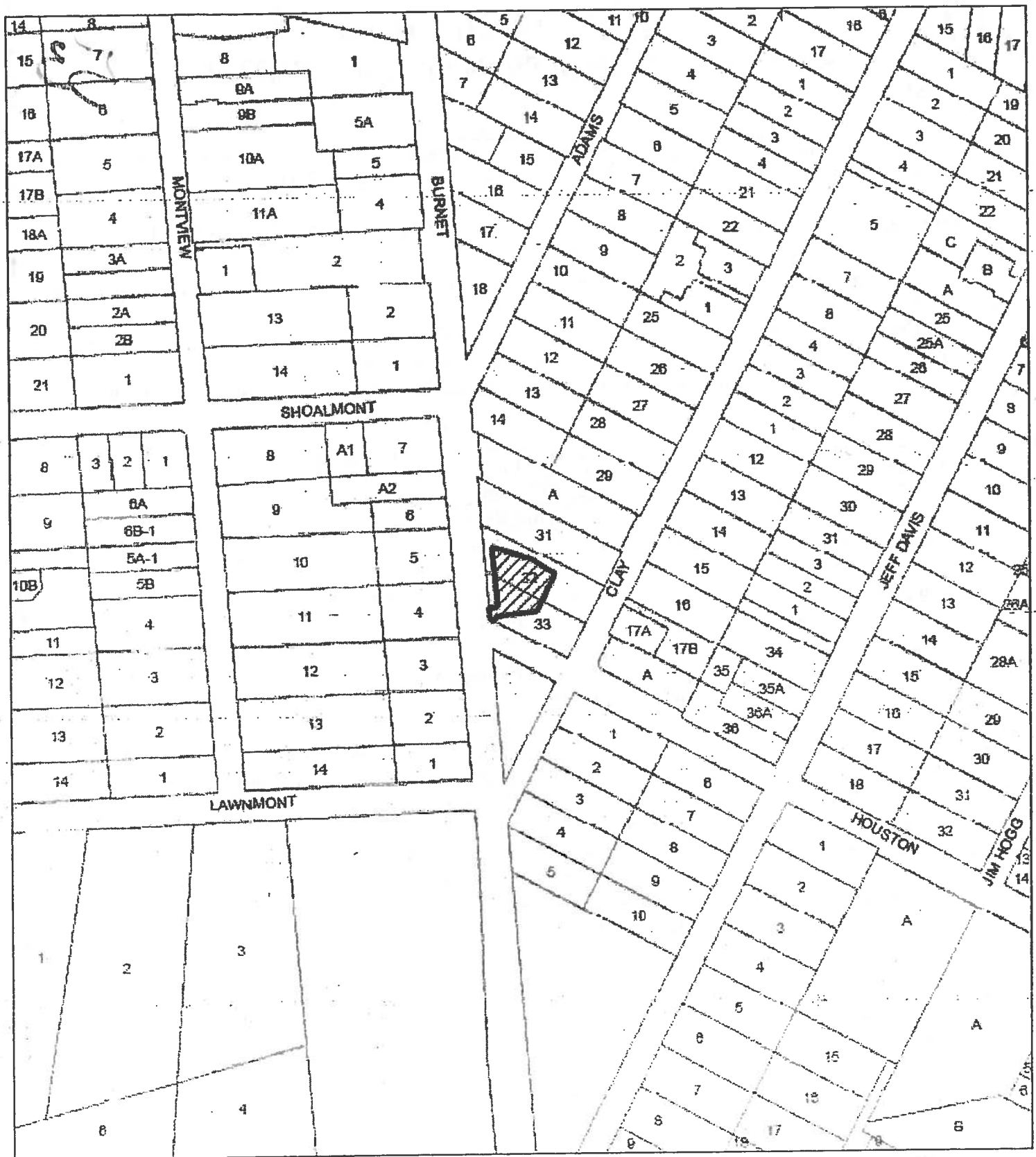
Applicant:	Longaro & Clarke LP, Joe Longaro, (512) 306-0228
Owner:	Jimmy Nassour, (512) 474-2900
Project Name:	Little Woodrow's on Burnet Road
Project Address:	5425 Burnet Road

Project Description: The applicant is requesting a conditional use permit to allow a proposed cocktail lounge and add an outdoor deck and patio.

This application is scheduled to be heard by the **Planning Commission** on **October 22, 2013**. The meeting will be held at City Hall Council Chambers, 301 West 2nd Street beginning at 6:00 p.m.

You can find more information on this site plan by inserting the case number at the following Web site: https://www.ci.austin.tx.us/devreview/a_queryfolder_permits.jsp. For additional information about the project please contact the applicant, Joe Longaro, (512) 306-0228. For information about the permitting process, please contact the case manager, Christine Barton-Holmes, at 512-974-2788 or via e-mail at christine.barton-holmes@austintexas.gov or Rosemary Ramos at 512-974-2784 or via email, rosemary.ramos@austintexas.gov and refer to the case number located on this notice. The case manager's office is located at One Texas Center, 4th Floor, 505 Barton Springs Road, Austin, Texas. You may examine the site plan at One Texas Center between the hours of 7:45 a.m. and 4:45 p.m., Monday through Friday.

For additional information on the City of Austin's land development process, please visit our web site www.austintexas.gov/development.



Subject Tract



Base Map

CASE#: SPC-2013-0196C
ADDRESS: 5425 Burnet Road



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Catherine C. Davis, Ph.D.

Your Name (please print)

5422 Montview Street, Austin, TX 78756

Your address(es) affected by this application

Catherine C. Davis

October 21, 2013

Date

Signature

Daytime Telephone: 512.576.7516

Comments: My name is Catherine Davis and I am an affected neighbor of case #

SPC-2013-0196C. I am protesting the proposed zoning change for the following

reasons: Revise plan note 24 to a 1:00AM closing time for Friday & Sat. vs. the 2:00 AM.,

ban all outdoor amplified music ; protesting all live music as music can be heard in m

with windows and doors closed. Restrict & move any outdoor noise generated

activity inside by 8pm daily. Try to keep windows and doors closed definitely by

10:00pm. Over flow parking on Shoalmont and Montview be prohibited.

I strongly urge the commission to consider my residence as it will be affected by

this zoning request.

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

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From: Nathalie Frensley <nathalie_frensley@hotmail.com>
Sent: Monday, October 21, 2013 5:08 AM
To: bcMyron.Smith@austintexas.gov; bcBrian.Roark@austintexas.gov;
bcStephen.Oliver@austintexas.gov; bcJames.Nortey@austintexas.gov;
bcJeff.Jack@austintexas.gov; bcDanette.Chimenti@austintexas.gov;
bcJean.Stevens@austintexas.gov; bcAlfonso.Hernandez@austintexas.gov;
bcDave.Anderson@austintexas.gov; mnrgatfield@yahoo.com; Barton-Holmes,
Christine
Subject: SPC-2013-0196C 22OCT2013 Planning Commission Hearing
Attachments: SPC-2013-0196C 22OCT2013 Frensley OBJECT.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Chair, Commissioners and Staff Members:

Re: Case Number: SPC-2013-0196C

Please find attached my protest form and a scanned, signed pdf of my statement below.

The Commission's agenda for Tuesday, October 22nd includes a conditional use permit hearing for the property located at 5425 Burnet Road (SPC-2013-0196C), for a big-box project by the Little Woodrow's bar and lounge chain. This company started in Houston and has several lounge and bar locations in Austin. As a concerned Austinite, parent of a highly accomplished AISD Liberal Arts and Sciences Academy student, and long-term homeowner in the Shoalmont section of Allandale (sometimes called "Old Allandale", a directly affected neighborhood, I respectfully ask you please vote AGAINST the referenced project in its current form. In a nutshell, the reason for this firm but respectful request is that if this project proceeds in its current form, it will be a reversal of Austin's ideals of livability and new urbanism for the established, dense, single-family adjacent Allandale and Brentwood neighborhoods.

Specifically, I ask that you

- Revise Site Plan Note 24 to require a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated;
- Prohibit all outdoor amplified sound;
- Prohibit all live music;
- Move all outdoor noise-generating activity inside by 8:00 p.m. each night;
- Prohibit all on street deliveries;
- Require that all exterior openings (such as doors, windows, etc.) be kept closed; and
- Definitively close all exterior openings by 10:00 pm each night.
- Require that all liquor-serving and storage areas for this project be taken into account to more accurately and reasonably address the parking needs for the customer load this proposed project will generate.

The reason I ask that you require these modifications to the SPC-2013-0196C conditional use permit site plan is that it represents a locational business plan change from their other locations in Austin. Allow me to explain.

Little Woodrow's has four current locations in Austin: Bee Cave, Southpark, West 6th, and Parmer Lane. Each of these current locations does not have the parking and congestion issues and adjacent neighborhood safety and noise impacts that this proposed project will have at 5425 Burnet Road:

This proposed Burnet Road location is much closer to residential housing than at other Little Woodrow's locations, with the following implications:

- The proposed Burnet location is already on a highly congested road that will become even more congested as the Mopac HOV lane construction diverts additional traffic onto Burnet.
- The unique mix of shallow business lots and long, deep residential lots means that more residential areas are vulnerable to noise and light generated by the proposed Little Woodrow's on Burnet Road, particularly with its intent to amplify sound to the west across Burnet. While there may be businesses directly across the street, sound will travel past those buildings. Planting hedges and building fences are not solutions to the noise this proposed project will generate – I have already checked on this.
- For Little Woodrow's to be profitable, it will have to attract a clientele from outside the adjacent neighborhoods, which will increase the numbers of drinking patrons driving on nearby residential streets late at night. *Note that the Allandale and Brentwood adjacent neighborhoods' residential streets have much higher walkability ratings than Little Woodrow's other locations in Austin and a much higher population of vulnerable persons who are residential pedestrians. The residential pedestrian population includes vulnerable disabled residents (on the Allandale side the City of Austin Housing Authority has a residence for elderly and disabled persons at 2300 W. North Loop) – these residents, school children, and other residential pedestrians throughout the Shoalmont neighborhood walk regularly on Clay, Houston, Shoalmont and Montview Streets to go to school and to the grocery store).* The impacted Allandale and Brentwood neighborhood residential streets have high pedestrian traffic – including bikes, wheelchairs, school children, and elderly – day and night due to neighborhood anchors that include Amy's Ice Creams, a H.E.B grocery store that is open until 1:00 am, Lamar Middle School (particularly with after school activities and sports practice), a dry cleaners, a drug store, convenience stores, an optometrist, and other pedestrian destinations that are part of daily life.
 - This increased traffic load by Little Woodrow's drinking patrons will occur on residential side streets such as Montview and Shoalmont that do not have posted, lowered speed limits, handicapped pedestrian signage, traffic slowing humps, or in most cases even sidewalk installations.

Despite the unique combination of these features in the Shoalmont/Brentwood neighborhoods, the proposed Burnet Road location for the new Little Woodrow's does not take them into account. The Shoalmont and Brentwood neighborhoods were established in the 1940s-50s. They are vibrant neighborhoods with well-maintained homes, often extensively renovated, yards, and are primarily owner-occupied. These are highly desired areas for families with children due to the high ratings for the nearby elementary, middle, and high schools. Both Allandale and Brentwood have active neighborhood associations and annual community parties. Many long-term residents of these neighborhoods have chosen to retire-in-place. However, Little Woodrow's is applying the same approach to this proposed endeavor on Burnet Road as they have to their previous efforts located in much more recently developed parts of Austin with larger, less congested roads, and locations much further removed from established family neighborhoods. In the case of their downtown location, it is near only urban condominium housing which cannot be compared to the predominantly single family residences in Shoalmont and Brentwood. Here lies the problem: the Allandale Shoalmont and Brentwood residential neighborhoods are very, very different from the primarily commercial areas of their West 6th, Bee Cave, Southpark, and West Parmer locations yet Little Woodrow's has applied the same business plan/model to their proposed Burnet Road location. The fundamental differences between the Shoalmont and Brentwood neighborhoods versus their other, primarily commercial, locations far removed from close-in residential neighborhoods create compelling reasons for voting against SPC-2013-0196C in its current form:

- The West 6th location has no single-family zoned residential neighborhood to impact.
- Both the Bee Cave and Southpark locations have roads that can accommodate the large amount of late night traffic that these Little Woodrow's generate and, being located in deep lot strip centers, do not negatively impact nearby residential neighborhood safety and quality of life due to parking availability.
- The West Parmer location is ideally situated in a deep lot strip center with lots of parking that is located on an uncongested arterial road. The added bonus to the West Parmer location is that arterial will never become an alternate for a major highway when under construction.
- None of these locations are as near to City of Austin disabled/elderly housing or schools as the proposed Burnet location.
- All of these locations are sufficiently situated by distance or level from residences so noise and vehicle light pollution will not be an issue as it will be at the proposed Burnet Road location.

- None of these locations direct amplified music in the direction of residential areas on the other side of shallow business lots.
- Patron parking and driving at the 6th Street location does not inconvenience or endanger residential neighborhoods and there is sufficient parking at the Bee Cave, Southpark, and West Parmer locations so no residential neighborhoods are negatively impacted. This simply cannot physically be the case at the proposed Burnet Road location unless the Commission revises the current, referenced site plan.

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As a 4th generation Austinite active in the community, I must say – very respectfully – that I am highly concerned about the City's liability exposure if this application is approved by the Commission without making several key changes identified above. My concerns are due to the lack of posted, lowered speed limits on nearby residential streets that will be impacted no handicapped pedestrian warning signage, no traffic slowing humps, in many stretches the lack of sidewalk installations and other expensive infrastructure safety improvements, given the surrounding neighborhoods' high residential pedestrian traffic and vulnerable populations. This stretch of Burnet Road is most certainly not a "bar district", even though the SPC-2013-0196C site plan incorrectly lists a "lounge" across the street on the west side of Burnet (that property doesn't even have a TABC permit application, much less an approved permit). These facts are additional compelling reasons to vote against SPC-2013-0196C in its current form

The property in question is one of, if not the largest, commercial properties on the Burnet Road strip between 2222/Northland and 45th Street. Many people who travel Burnet Road have no idea how shallow many of the commercial lots are within this segment of Burnet Road. This same segment has very little transitional zoning in between the commercial properties and the residential properties. What happens to this property will profoundly affect the Brentwood neighborhood to the east and the Allandale neighborhood to the west.

Up until this applicant's rezoning request, Burnet Road redevelopment has been mutually beneficial between the neighborhoods and businesses. Allandale and Brentwood have a long-shared and classic new urbanism neighborhood vision of anchoring Burnet Road redevelopment in a complementary relationship with the adjacent generationally-balanced residential neighborhoods. The Allandale and Brentwood neighborhoods are highly sought-after areas because they achieve Austin's ideal of stable neighborhoods with already high and increasing rates of owner-occupancy of residences, generational balance, excellent schools that enjoy neighborhood support, and high walkability to businesses that benefit from nearby single-family neighborhood patronage. These single-family neighborhoods have been a critical client base for new business located on this length of Burnet Road.

This vision has worked well for new Burnet Road redevelopment businesses such as Monkey's Nest, Hat Creek, Amy's Ice Creams, Phil's Ice House, Miguels, Torchy's Tacos, Clay Ways and many others. What these businesses have in common is that they complement, rather than threaten, neighborhood stability.

Please do not allow this to change as drastically as it would by accepting the SPC-2013-0196C conditional use permit without the changes urged above. The Austin American Statesman reported that the applicant justified the project on the grounds of a 179-unit apartment complex under construction on Burnet. Profitability, given the size of the building at 5425 Burnet Road and the scope of the bar project, would require far more patronage than that from the new apartment complex. Dangerous traffic will vastly increase. Local media have well-covered the traffic issues that will arise for Brentwood residents. In addition, The Little Longhorn Saloon is located directly across Burnet Road from the subject tract. The addition of a vastly larger property allowing and encouraging liquor sales without these modifications requested above to the SPC-2013-0196C conditional use permit is asking too much of the Shoalmont and Brentwood neighborhoods

My neighbors, family, and I have spoken at length about our concerns and worries generated by Little Woodrow's indifference to its negative impact on two neighborhoods in the design of its site plan. On October 8th, our Montview neighbors gathered for a National Night Out event at our house. As the Commission knows, this National Night Out is meant to increase awareness about local neighborhood anti-crime efforts. At this gathering, the main topic among my 30 or so neighbors was the singular concern about the Little Woodrow's project at 5425 Burnet Road. The direct effects of public safety threats from increased drunk driving and quality of life degradation from noise and other inconvenience runs counter to the City's ideals of Austin livability and new urbanism principles for the established, dense, single-family adjacent Allandale and Brentwood neighborhoods.

Please, I respectfully ask you to support the safety and quality of life of the Allandale and Brentwood neighborhoods, particularly those residents living on streets immediately parallel to Burnet Road and vote AGAINST SPC-2013-0196C in its current form.

Very sincerely,

Nathalie J. Frensley, Ph.D.
5601 Montview Street
Austin, TX 78756

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Nathalie J. Frensky

Your Name (please print)

5601 Montview St. 78756

Your address(es) affected by this application

Nathalie J. Frensky

Signature

☐ I am in favor
☒ I object

10/20/2013
Date

Daytime Telephone: 512 589 9344

Comments: see attached ~~first~~ 4 page written statement

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

FE
To: The Planning Commission Chair and Commissioners:
Re: Case Number: SPC-2013-0196C
From: Nathalie J. Frensley

The Commission's agenda for Tuesday, October 22nd includes a conditional use permit hearing for the property located at 5425 Burnet Road (SPC-2013-0196C), for a big-box project by the Little Woodrow's bar and lounge chain. This company started in Houston and has several lounge and bar locations in Austin. As a concerned Austinite, parent of a highly accomplished AISD Liberal Arts and Sciences Academy student, and long-term homeowner in the Shoalmont section of Allandale (sometimes called "Old Allandale", a directly affected neighborhood, I respectfully ask you please vote AGAINST the referenced project in its current form. In a nutshell, the reason for this firm but respectful request is that if this project proceeds in its current form, it will be a reversal of Austin's ideals of livability and new urbanism for the established, dense, single-family adjacent Allandale and Brentwood neighborhoods.

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Frensley 1/4
AGAINST SPC. 2013.0196C



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Frankley 2/4
AGAINST SPC 2013.0196C

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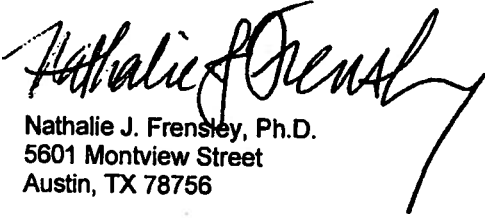
Frensky 3/4
AGAINST SPC 2013.0196C

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Very sincerely,


Nathalie J. Frensley, Ph.D.
5601 Montview Street
Austin, TX 78756

Frensley 4/4
AGAINST SPC-2013-0196C

20

Barton-Holmes, Christine

60

From: Paulette Kern <paulettekern@sbcglobal.net>
Sent: Sunday, October 20, 2013 9:53 PM
To: Barton-Holmes, Christine
Subject: Protest Case# SPC-2013-0196C
Attachments: Little Woodrow's protest.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Barton-Holmes,

Attached is my protest form for Little Woodrows. You already have my comments in email.

Thank you.

Paulette Kern
2705 Twin Oaks Dr.

02

PUBLIC HEARING INFORMATION

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and:

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Paulette Kern

Your Name (please print)

2705 TwinLakes Dr

Your address(es) affected by this application

Paulette B Kern

Signature

Daytime Telephone: 512-454-9166

Date

10-20-2013

Comments: see email of 10-20-2013

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

61

Barton-Holmes, Christine

From: Joseph Reynolds <joe-rey@texas.net>
Sent: Monday, October 21, 2013 8:19 AM
To: Barton-Holmes, Christine
Subject: Opposition to SPC-2013-0196C – Little Woodrow's on Burnet Road
Attachments: Opposition to SPC-2013-0196C.pdf

62

Follow Up Flag: Follow up
Flag Status: Flagged

I'm copying you as case manager for SPC-2013-0196C – Little Woodrow's on Burnet Road.

Please include the attached document in the case book for Tuesday night I tried sending earlier but the e-mail link in the posted agenda is blocked.

Joseph Reynolds
joe-rey@texas.net
2611 West 49th St
Austin, Texas 78731
512-454-8880

50

Opposition to SPC-2013-0196C – Little Woodrow's on Burnet Road

63

Commissioners, this permit should be denied until certain faults are remedied.

1] The site is too close to other existing and proposed late night permits, creating an informal Bar District in a residential area. The site adjoins single family homes.

2] There is no proposed mechanism for controlling patron parking in adjoining neighborhoods. Such parking disrupts residents, especially at night when loud patrons return to drive away. Experience shows that they often litter and pee in yards, barf in streets.

3] There is no proposed sound control to prevent trampling the rights of families to get kids to sleep or enjoy their yards without the bar intruding. The applicant has indicated that operation will be for the full permitted times and with items such as TVs on decks causing disturbance while open. There is no consideration of controlling cheering patrons during sporting events.

4] There is no prohibition against live music

5] There is no prohibition of on-street delivery parking. Any delivery trucks off the site will block either residential streets or a street [Houston] with an unusual intersection configuration.

6] There is no requirement that dumpster service be in daytime, nor for smell mitigation.

7] There is no requirement to prevent light pollution of residential houses.

I ask the permit be denied until these issues are satisfactorily addressed.

Joe Reynolds
2611 West 49th
512-297-4841 [c]

23

Barton-Holmes, Christine

From: Joseph Reynolds <joe-rey@texas.net>
Sent: Monday, October 21, 2013 8:20 AM
To: Barton-Holmes, Christine
Subject: Nascent Burnet Road bar District and SPC-2013-0196C – Little Woodrow's on Burnet Road
Attachments: Burnet Rd Bar District.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

66

I'm copying you as case manager for SPC-2013-0196C – Little Woodrow's on Burnet Road.

Please include the attached document in the case book for Tuesday night I tried sending earlier but the posted e-mail in the agenda is blocked.

Joseph Reynolds
joe-rey@texas.net
2611 West 49th St
Austin, Texas 78731
512-454-8880

del

Burnet Rd Bar District

65

This is to present concerns about the informal development of a Burnet Road Bar District. Developers plan three 2am permits in one block, and another just North.

Ginny's Little Longhorn- existing establishment

Little Woodrow - Permit pending - SPC-2013-0196C on the agenda tonight

Taco Flats - Announced

Others further north on Burnet - SPC-2012-0353C - Burnet Market Place

This commission is charged with the development policy of an area, not just with considering individual permits. It must consider combined development effects. It must balance the rights of a property owner wishing to develop and the rights of many neighbors who will be disrupted by the development. Get Policy right - Experience shows great problems when it is left to slide. South Congress development was extremely destructive to neighborhoods

Districts like "SoCo" are often advocated by people who do not have to live with the consequences. The owners and operators don't have to live with the consequences. Current neighbors and residences are directly impacted with loss of privacy, disruption of basic life functions like sleep, and are subjected to unruly behavior the operators disclaim. The Commission must find, and enforce in permit, controls on such destructive effects.

Invasive parking in surrounding neighborhoods is consistently a problem. Besides disrupting families when parked, the cars mean that drunken patrons return late, peeing in yards and causing disturbance through loud talking and noisy exits.

Allandale neighbors' experience with Fonda San Miguel [Woodview & North Loop] comes to mind. Employees start parking up Woodview before noon. Valet parking along Woodview starts with Dinner. The last cars leave after closing when clean-up/shut-down is finished. The only recourse is area permitted parking, which is extremely regressive on residents.

Noise is a difficult problem. It can be from operations like music performance, TVs on decks, dumpster service, or patrons - Motorcycles are no quieter at 2am than at noon. The Commission must apply permit conditions so that children can sleep and get to school, such that neighbors can enjoy their yards for the outdoor social space that it is. Not doing this is taking existing rights from residents for blocks around each establishment.

The range of the noise disturbance should not be underestimated. In the 1970s I lived on 7th between Baylor and Blanco. It was common for the sound from Liberty Lunch to be louder on my front porch than the music from my stereo coming through the open window. Phone calls didn't help. Eventually TABC agents came to assess the issue.

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Another common disruption is on-street delivery parking; big beer and food trucks blocking lanes but never subjected to police enforcement. In the Burnet Rd area this will be a considerable problem. The road itself is far too congested, so the trucks block neighborhood streets. It happens now for the 5350 Apartments, it will happen on Houston with Little Woodrow.

The Commission must include the remedies in the permit conditions so that they are enforceable without neighbor's lawsuits. Operators can be 'bad actors', saying one thing to the commission and promptly forgetting that. All bar owners claim to be pure and clean, not serving drunk patrons. But, there are ten of them in the "Top-10" DWI sources, so they must not be actually doing what they claim. Allandale worked and eventually won-out over Austin's #-1 DWI source - Dallas Nightclub.

The effect of one late-night bar is disruptive, several in a 'district' will be ruinous for the area residents. The Commission should consider placing proximity limits on late night bars. A proximity limit was imposed on Bed & Breakfast permits to prevent a 'hotel district' from forming. Do that for late night bars.

The Commission has a duty to form its' own policies, but we have some starting suggestions:

- 1] limit outdoor sound when kids need to be sleeping, and allow neighbors to use their yards and property
- 2] impose parking policies to constrain neighborhood intrusion from drunk patrons - tie bad behavior back to the permit
- 3] prohibit on-street delivery parking
- 4] require dumpster service to be daytime
- 5] control smells
- 6] limit light pollution, from buildings and from automobiles
- 7] revoke a bad actor's permits
- 8] impose 1500ft separation between late night permits

In summary, this commission, by duty, has to consider the policy issues of the nascent Bar District forming on Burnet. It has to weigh the desires of the developer versus the Neighbor's Trampled Rights. One site can ruin adjacent neighbors, and disrupt residents in a multi-block radius. The Commission should consider the combined effects of all the bars, currently proposed and follow-on. Districts start with a few businesses and grow.

The commission can do its' duty and consider the larger policy issues before approving individual permits, or it can rerun the SoCo debacle.

Joe Reynolds
2611 West 49th St
512-297-4841 [c]

Barton-Holmes, Christine

From: Paulette Kern <paulettekern@sbcglobal.net>
Sent: Sunday, October 20, 2013 9:01 PM
To: Barton-Holmes, Christine
Subject: SPC-2013-0196C Little Woodrow's on Burnet Rd

bb

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission Chair and Commissioners,

Case #:SPC-2013-0196C

Please amend the CUP for the property above to reflect respect for the neighborhoods which surround it. In my opinion, action taken thus far has been wrong--please don't compound it. I am writing to protest the Little Woodrow's project in its current form and ask for the following conditions:

- Revise Site Plan Note 24 to indicate a 1 a.m. closing time for Friday and Saturday, versus the 2 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8 p.m. each night
- Try to keep all exterior openings closed (doors, windows, etc.)
- Close all exterior openings by 10 p.m. each night
- Tie enforcement incentives to CUP

Austin's ordinance for conditional use (Ch.25-5-145) says that a conditional use may not "more adversely affect an adjoining site than would a permitted use" and may not "adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area". How do you get to a bar in this location from here?

This area of Burnet Rd has long history of bordering closely upon family residential as does this property. There is a High School just 4 blocks away, a treatment center across an odd shaped intersection and a church mission oriented store next door. It seems odd that this type of business be injected in such a precarious and inappropriate location. I believe that if you stood on this property, the inappropriateness would be obvious.

I implore you to have a bigger vision for Burnet Rd. than a bar district. Multiple late night alcohol venues constitute a bar district. With Ginny's Little Longhorn, Little Woodrow's, and Taco Flats(coming soon), there will be 3 bars within 1 block on Burnet Rd. Isn't this "overserving" these neighborhoods?

Please help me to understand what this bar/night club will do for mankind that is so important that its right to conduct business (which will disrupt several neighborhoods), should trump those families' rights to peaceful enjoyment of their backyards and full nights sleep before their work or school time each morning. As it stands now, this bar will be open every school night until midnight or 1 a.m. with

outdoor amplified sound, and the accompanying inebriated clients, traffic cutting through the neighborhoods, parking issues and vandalism.

Please don't look at each case in isolation. I am counting on you to look at the whole picture and "plan" comprehensively for the best of the citizens living in this area.

Paulette Kern
2705 Twin Oaks Dr.
512-454-9166

Barton-Holmes, Christine

From: Edward L. Robinson <elr@astro.as.utexas.edu>
Sent: Sunday, October 20, 2013 8:23 PM
To: Barton-Holmes, Christine
Cc: Dave.Anderson@austintexas.gov; Alfonso.Hernandez@austintexas.gov;
Jean.Stevens@austintexas.gov; Danette.Chimenti@austintexas.gov;
Jeff.Jack@austintexas.gov; James.Nortey@austintexas.gov;
Stephen.Oliver@austintexas.gov; Brian.Roark@austintexas.gov;
Myron.Smith@austintexas.gov
Subject: Planning Commission Case SPC-2013-0196C, Little Woodrow's on Burnet Road
Attachments: SPC-2013-0196C-Protest.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

67

Dear Case Manager Barton-Holmes and Commissioners,

Please find attached my objection to the proposed conditional use permit to allow a cocktail lounge and add an outdoor deck and patio to Little Woodrow's on Burnet Road.

Sincerely,

Edward L. Robinson

Fol

PUBLIC HEARING INFORMATION

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Edward L. Robinson

Your Name (please print)

2614 Pembroke Trail, Austin, TX

Your address(es) affected by this application

Edward L. Robinson

Oct. 20, 2013

Signature

Date

Daytime Telephone: **512-550-5652**

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Comments: I strongly object to the proposed zoning change.

While I am comfortable with ordinary bars on Burnet Road, the requested zoning change would allow much noise, and would harm owners of properties near (and not so near) the proposed bar. The conditional use permit should not be granted without stringent constraints on noise.

Specifically: No live music, no outdoor amplified sound,

1:00 AM closing time for Friday and Saturday, all other

outdoor noise-generating activity terminates by 8:00 PM.

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review – 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

68

80

69

Barton-Holmes, Christine

From: Andrea <apully@sbcglobal.net>
Sent: Sunday, October 20, 2013 6:44 PM
To: Barton-Holmes, Christine; apully@sbcglobal.net; Alfonso.Hernandez@austintexas.gov; Jean.Stevens@austintexas.gov
Cc: Dave.Anderson@austintexas.gov; Danette.Chimenti@austintexas.gov; Jeff.Jack@austintexas.gov; James.Nortey@austintexas.gov; Stephen.Oliver@austintexas.gov; Brian.Roark@austintexas.gov; Myron.Smith@austintexas.gov
Subject: Case# SPC - 2013 - 0196C

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Case Manager and Commission Members,

This mail is to ask that several conditions be placed on the project related to the above mentioned case that will be discussed at the hearing Tuesday evening Oct. 22nd.

These conditions include:

- 1). 1am closing time Friday and Saturday evening, not 2am closing.
- 2). Prohibit all amplified outdoor sound.
- 3). Move any outdoor noise generating activity inside by 8pm.
- 4). No live music on premises.
- 5). Keep all exterior openings like doors and windows closed.

Thank you for your attention to this matter of the potential negative impact of this project on residents of Brentwood and Allendale.

Sincerely,
Andrea Pully

Sent from my iPad

pol

Barton-Holmes, Christine

10

From: Anne Young <anne.young@aysite.net>
Sent: Sunday, October 20, 2013 6:15 PM
To: Barton-Holmes, Christine
Subject: Fwd: SPC-2013-0196C, October 22nd agenda

Follow Up Flag: Follow up
Flag Status: Flagged

Please forward this message to Commissioner Hatfield. The web site does not include an email address for him.

Anne Young

----- Original Message -----

Subject: SPC-2013-0196C, October 22nd agenda

Date: Sun, 20 Oct 2013 18:12:42 -0500

From: Anne Young <Anne.Young@AYsite.net>

To: bc-Dave.Anderson@austintexas.gov, bc-Alfonso.Hernandez@austintexas.gov, bc-Jean.Stevens@austintexas.gov, bc-Danette.Chimenti@austintexas.gov, bc-Jeff.Jack@austintexas.gov, bc-James.Nortey@austintexas.gov, bc-Stephen.Oliver@austintexas.gov, bc-Brian.Roark@austintexas.gov, bc-Myron.Smith@austintexas.gov

Case Number: SPC-2013-0196C

Dear Planning Commission Chair and Commissioners:

The purpose of this message is to urge you to vote AGAINST the referenced project in its current form.

My neighbors and I have tried to carefully review the Conditional Use Permit site plan and proposed floor plan for this project. We have also asked many questions of the bar owner. And after evaluating all of the compiled information, we believe that the project in its current form will have a significant and extremely negative impact on us.

This property already has CS-1 zoning, though it is a site that is obviously ill suited for a bar. This section of Burnet Road has residential properties immediately adjacent to very shallow commercial properties. The properties have historically been used by businesses that are needed and supported by the surrounding community. And many of the businesses were owned by residents of our own neighborhoods. In fact, the subject property housed a longstanding Austin real estate company that was a solid and welcome part of the surrounding community.

The applicant has been successful in his drive to secure CS-1 zoning for a portion of the property included in his project. But that does not mean that he has the right to negatively impact a major

portion of the properties around his. And CS-1 zoning in this instance requires a Conditional use Permit – for the specific purpose of placing conditions on the project.

I am confident that you are well aware of the many conflicts between bars and nearby residents, so I won't belabor them here. And many of the conflicts will be created simply by the establishment of a bar in this location. But it is not necessary to *enlarge* the disruption by thrusting a portion of the bar and its activities beyond the confines of the structure itself. And that is what the proposed deck areas of this project accomplish -- all within the area where we raise our families.

There will be no way of avoiding this project in its current condition. As we walk along Burnet Road with our kids to other family friendly businesses such as Hat Creek Burgers, how will we be able to avoid this bar? As we garden in our yards, how will we not jump at the deck crowd's roar for every football score? As we entertain at our homes, must our music choices be theirs? Should we have to listen to each and every amazing drum solo?

These are just examples of what we'll have to deal with... all day and into each night... every day and every night of each week. For we WILL hear the activities on these decks unless you help us. Unlike the bar patrons, we don't have the ability to simply leave. WE LIVE HERE.

This is your chance to stand-up for the Austin residents that live near this property. Please support us in our request to have the following conditions placed on this project.

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

I would be happy to answer questions regarding this request, and we look forward to hearing of your support for our position. We are relying on you.

Anne Young
Shoalmont Drive, Austin

Barton-Holmes, Christine

From: viki schmidt <viki.schmidt@gmail.com>
Sent: Sunday, October 20, 2013 5:57 PM
To: Barton-Holmes, Christine
Subject: Fwd: SPC-2013-0196C, Planning Commission hearing October 22nd PROTEST
Attachments: PROTEST form for SPC-2013-0196C, Planning Commission hearing October 22nd.pdf

71

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Barton-Holmes,

My protest form is attached.

Thank you.
Viki Schmidt

11

PUBLIC HEARING INFORMATION

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Victoria (Viki) Schmidt
Your Name (please print)

5421 Montview St. 78756
Your address(es) affected by this application

Victoria Schmidt
Signature

10/20/13
Date

(512) 453-1691
Daytime Telephone

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

72

55

73

Barton-Holmes, Christine

From: viki schmidt <viki.schmidt@gmail.com>
Sent: Sunday, October 20, 2013 5:55 PM
To: Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC; Barton-Holmes, Christine
Subject: SPC-2013-0196C, Planning Commission hearing October 22nd PROTEST
Attachments: PROTEST form for SPC-2013-0196C, Planning Commission hearing October 22nd.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission member,

I live very close to the proposed Little Woodrows on Burnet. I am not happy with the prospect of this late night, noisy business being so close to my home. I strongly urge you to support the following changes to the plan which will decrease some of the negative effects of the business on the neighborhood

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

I strongly believe that these conditions must be required for this project to lessen the negative impact of the project on surrounding neighborhoods. There are families with children and working people that live close by who need to have protection from late night noise from this project.

My protest form is attached.

Thank you.
Viki Schmidt

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PUBLIC HEARING INFORMATION

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Victoria (Viki) Schmidt
Your Name (please print)

5421 Montview St. 78756
Your address(es) affected by this application

Victoria Schmidt
Signature

10/20/13
Date

(512) 453-1691
Daytime Telephone:

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

24

4

Barton-Holmes, Christine

From: Anne Young <anne.young@aysite.net>
Sent: Sunday, October 20, 2013 12:00 PM
To: Barton-Holmes, Christine
Subject: SPC-2013-0196C, Planning Commission hearing October 22nd
Attachments: SPC-2013-0196C -- PROTEST -- form.pdf

75

Follow Up Flag: Follow up
Flag Status: Flagged

RE: SPC-2013-0196C

Dear Christine:

Several weeks ago I contacted you regarding the Little Woodrow's project on Burnet Road. At that time, the applicant had not submitted a recent update and no public hearing was scheduled. Since that time, I have received a Notice from the City of Austin regarding the project's public hearing before the Planning Commission on October 22nd.

In order to make sure that my neighbors and I were evaluating the project on its current merits, we contacted the engineering firm and the owner to secure further information. Based on our evaluation of that information, we have decided to **protest the project in its current form** and ask you to place the following conditions on the project. They are:

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

Please contact me if you have questions regarding our request.

Anne Young
Shoalmont Drive, Austin
512.657.5323

attachment: PROTEST form

52

PUBLIC HEARING INFORMATION

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Anne Young
Your Name (please print)

2112 Snodgrass Dr.

Your address(es) affected by this application

Anne Young
Signature

10/20/13
Date

Daytime Telephone: 512.657.5323

Comments: see email

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

76

21

11

Barton-Holmes, Christine

From: Cheney Crow <cheney@uts.cc.utexas.edu>
Sent: Saturday, October 19, 2013 11:30 PM
To: Barton-Holmes, Christine
Cc: Myron.Smith@austintexas.gov; Brian.Roark@austintexas.gov;
Stephen.Oliver@austintexas.gov; James.Nortey@austintexas.gov;
Jeff.Jack@austintexas.gov
Subject: Little Woodrows application, Burnet Road

Follow Up Flag: Follow up
Flag Status: Flagged

78

Dear All,

As a resident of Shoalmont Drive, I am very interested in the proposals made by Little Woodrows regarding their outdoor bar plans, and the sound that will generate.

I've lived on this street for many years, and am thrilled to hear that the new management of Ginny's Little Longhorn, which we could hear when the doors were open at night and even when they were closed if the bands controlled the sound level, has already insulated the building and, in a meeting this week, agreed to make a contract with our neighborhood association to keep doors closed after a certain time of night, and to control the sound level of all bands to mitigate the sound impact in our neighborhood, where school-age children reside within less than 100 feet of Burnet Road and Shoalmont intersection.

It is my hope that Little Woodrows will be equally respectful of residents of the established neighborhoods that surround it. What would be most helpful would be the following accommodations to the current Site Plan Note 24, who Revise Site Plan Note 24, to a 1:00 a.m. outdoor closing time (moving last call indoors) for Friday and Saturday. It would also be critical to limit any outdoor sound (no amplified sound), and to keep all exterior openings (doors and windows) closed after 10 p.m. daily, remembering the school children and many working adults who chose our neighborhood for its schools and quiet streets. As the site plan stipulates there will be no live music (and there is no stage), I suppose that will be the case; I would strongly object to live music outdoors.

If Little Woodrows is to join our neighborhood, I hope the owners will cooperate with the Allendale Neighborhood Association to make the transition to having a new bar in our area agreeable to all parties, and not a disruption. We could hear music at night (a problem Ginny's has addressed in our agreement) as far as 4 blocks down Shoalmont (towards Shoal Creek) when the door was left ajar at night.

We look forward to being good neighbors, and will be happy to bring our business your way if the attitude is mutual.

Respectfully,

Cheney Crow, PhD

8/1

Barton-Holmes, Christine

From: Steven Zettner <zettner@snaustin.org>
Sent: Saturday, October 19, 2013 7:18 PM
To: Barton-Holmes, Christine
Subject: Protest of Little Woodrow's, SPC-2013-0196C

79

Follow Up Flag: Follow up
Flag Status: Flagged

October 19, 2013
SPC-2013-0196C
Little Woodrow's on Burnet Rd

Dear Christine,

I am writing to protest the Little Woodrow's project in its current form and ask for the following conditions:

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

These conditions are important, for the following reasons:

- **Our community has a child-friendly growth vision for Burnet Rd.** We call it 'live-work-play-sleep.' Neighborhood associations along Burnet endorse this vision. Both Burnet itself at this location, and the streets behind it, should be part of a 'transition zone' with housing suited to families, seniors, or anyone else.
- **The City of Austin Comprehensive Plan endorses our child-friendly vision.** Imagine Austin calls repeatedly for mixed use infill suitable to all ages. Growth along Burnet is intended to integrate seamlessly into our existing community, indeed become the pedestrian center of our community.
- **We are engaged in implementing this vision.** Area residents have planted over 100 trees on Burnet and obtained funding for child-safe pedestrian amenities. We have widely communicated our vision, including to Mr. Engel.
- **We are engaged in getting age-diverse housing.** Right now, mainly efficiency and one-bedroom units that exclude families are getting built on Burnet, due to short-term market pressure and inadequate zoning rules. The resulting concentration of young adults draws services suited to young adults. These same trends near downtown are pushing children out. We are working with city planners to develop age-diverse zoning and other policies for areas several miles from downtown.
- **Not bars, but late-night bar districts, undermine a child-friendly environment.** Experience on corridors like South Congress suggest that a concentration of several bars or restaurants that serve alcohol late at night leads to noise and behavioral problems for adjacent residents. These are problems especially challenging for children and seniors, who perform poorly when constantly over-stimulated or deprived of a good night's sleep.
- **Multiple late-night alcohol venues constitute a bar district.** Ginny's Little Longhorn Saloon, across from the Little Woodrow's site, already has a late night liquor license. Another new venue across Burnet, Taco Flats, requested one. When Little Woodrow's obtained its CS-1 zoning in January, we expressed concern with this part of Burnet becoming a bar district that would create a permanent risk of late night noise and behavioral problems, disruptive to children and other long-term residents. City Council rejected this argument because they didn't see one late-night bar as constituting a district. With multiple venues seeking late-night liquor sales, it becomes harder to ignore the trend.
- **There are better places for bar districts nearby.** Anderson Ln west of Burnet is buffered from age-diverse neighborhoods. Other better-suited areas include Highland Mall, North Burnet Gateway, and Downtown itself.

Our child-friendly vision for Burnet Rd is an exciting and credible one. It adds diversity to Austin's urban core. It serves middle managers, generally in their child-rearing years, who are needed throughout our knowledge-based economy. It works well for seniors and young adults too. Other successful cities like Boston, Dallas or Seattle have child-friendly neighborhoods 3-7 miles from downtown. Momentum is building for this vision. But we need time. Please help us to achieve our positive vision for our community. Safeguard a future Burnet that works for residents of all ages.

Thank you,

Steven Zettner
President, Sustainable Neighborhoods of North Central Austin
www.snaustin.org
512-344-1672

--

Steven Zettner
Sustainable Neighborhoods of North Central Austin
www.snaustin.org

From: Donna Beth McCormick <dbmc@texas.net>
Sent: Saturday, October 19, 2013 5:33 PM
To: Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC; Barton-Holmes, Christine
Subject: Little Woodrow's on Burnet Road
Follow Up Flag: Follow up
Flag Status: Flagged

Little Woodrow's on Burnet Road is coming up this Tuesday for a hearing. The owners are not exactly what they say they are.

More than a year ago when I was President of Allandale Neighborhood Association, I met with the owners and other neighborhoods about this property. They assured us they worked with neighbors in their other locations and would do the same for us.

- there is little parking and Next to New is not giving them additional parking so it will be on the street by homes
- they would be good neighbors and cooperate with noise and hours - well, that's debatable since they will have outside music - amplified. And late hours, with doors open so the inside people can hear.

Listed below are requests by the neighbors and the Little Woodrow owners seem to be slightly tone deaf on the issues!

- Revise Site Plan Note 24 to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
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The neighborhoods are working and cooperating with other bars in the area to be neighborhood friendly - people are working, kids are in school - and not up until 1 and 2 AM. This should be true on weeknights for other people that work during the day and need to be at home at a reasonable hour. Burnet Road is not the next 6th Street - we already have one in town. We also do not want to see people who have had too much to drink end up at the hospital or the morgue from our neighborhood.

Donna Beth McCormick
Shoalwood Ave.

08

Barton-Holmes, Christine

From: Anne Rogers <anrogers1111@gmail.com>
Sent: Tuesday, October 22, 2013 1:25 PM
To: Danette.Chimenti@austintexas.gov; Dave.Anderson@austintexas.gov;
Alfonso.Hernandez@austintexas.gov; Jean.Stevens@austintexas.gov;
Jeff.Jack@austintexas.gov; James.Nortey@austintexas.gov;
Stephen.Oliver@austintexas.gov; Brian.Roark@austintexas.gov;
Myron.Smith@austintexas.gov; Barton-Holmes, Christine
Subject: SPC-2013-0196C, Little Woodrow's on Burnet Rd
Follow Up Flag: Follow up
Flag Status: Flagged

81

Dear City Planning Commission:

I am writing to protest the Little Woodrow's project in its current form and ask for the following conditions:

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■ **We are engaged in getting age-diverse housing.** Right now, mainly efficiency and one-bedroom units that exclude families are getting built on Burnet, due to short-term market pressure and inadequate zoning rules. The resulting concentration of young adults draws services suited to young adults. These same trends near downtown are pushing children out. We are working with city planners to develop age-diverse zoning and other policies for areas several miles from downtown.

■ **Not bars, but late-night bar districts, undermine a child-friendly environment.** Experience on corridors like South Congress suggest that a concentration of several bars or restaurants that serve alcohol late at night leads to noise and behavioral problems for adjacent residents. These are problems especially challenging for children and seniors, who perform poorly when regularly over-stimulated or deprived of a good night's sleep.

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Thank you,

Anne Rogers, Brentwood resident

5314 Roosevelt Ave., 787856

Barton-Holmes, Christine

From: Greg Chico <greg1austin@yahoo.com>
Sent: Wednesday, November 06, 2013 4:28 PM
To: Barton-Holmes, Christine
Subject: SPC-2013-0196C
Attachments: Case Number SPC-2013-0196C.pdf

82

Follow Up Flag: Follow up
Flag Status: Flagged

Christine:

Per our conversation, please see the attached statement regarding the Planning Commission case referenced above, for the planned "Little Woodrows" bar that is working to open -- with a conditional use permit to allow public outdoor spaces (deck and patio), as well as a [ridiculous request, given that this is a for profit, non-charitable entity] variance from Section 25-5-146(B) parking restrictions.

As I mentioned, I have a family emergency (brother's death) that will preclude my attendance at the Planning Commission meeting on November 12, 2013. Thank you for your assurance that opposition to the applicant's requests will be given attention as is appropriate.

Sincerely,
Greg Chico

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Nov 12, 2013

FAX: 512-

974-

3010

GREG CHICO for Chavis

Your Name (please print)

Trust

☐ I am in favor
☒ I object

1700 Houston St. (6 APARTMENT UNITS)
Your address(es) affected by this application

[Signature]

11/6/13

Signature

Date

Daytime Telephone: (512) 854-4659

Comments: CITY OF AUSTIN TRACK RECORD
ON THIS LAND USE & ZONING CHANGE/
ACCOMMODATION OF APPLICANT'S DESIRES
FOR INCOMPATIBLE LAND USE ADJACENT
TO RESIDENTIAL AREA HAS MADE A
COMPLETE MOCKERY OF THE ENTIRE
(WASTED!) EFFORTS FOR NEIGHBORHOOD
PLANNING & CITIZEN/RESIDENT INPUT.
THIS USER IS NOT A HARDSHIP CASE!

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

My TENANTS
WILL SUFFER
& I AM
DISGUSTED W/
THE "PROCESS".

[Handwritten mark]



PUBLIC HEARING INFORMATION

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

FAX 974-3010

CHAVIS TRUST / GREG CHICO

Your Name (please print)

1700 HOUSTON ST. AUSTIN 78756

Your address(es) affected by this application

[Signature]

Signature

10/17/13

Date

Daytime Telephone: (512) 854-4659

Comments:

Continued effects of COA to

accommodate a for profit bar

(alcohol sales) against neighbor

Wisher (Began w/ zoning change)

ARE WROTE & UNJUST.

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

[Signature] 84

40

Barton-Holmes, Christine

From: Joe Reynolds <joe-rey@texas.net>
Sent: Thursday, November 07, 2013 10:17 PM
To: Barton-Holmes, Christine
Subject: Opposition to SPC--2013--0196C – Little Woodrow's on Burnet Road
Attachments: Neighborhood Impact.pdf



Follow Up Flag: Follow up
Flag Status: Flagged

Dear Christine,
Please include the attached PDF document in the Commissioners File for the hearing on Nov 12.

Thank You.

--
Joe Reynolds
2611 West 49th
Austin, Texas 78731
512-454-8880

25

A Look at Little Woodrow's Neighborhood Parking Impact

Summary:

We present a discussion of the parking disruption the Little Woodrow's will cause, based on a straightforward business-case analysis. We compute the minimal sales each month required to cover the basics; depreciated renovation, lease, and utilities. We expand that, with uncertainty, to include some assumed labor for bar service. Then we calculate the number of patrons needed, based on a drink limit that gets each to the BAC for DWI threshold. Then we get per-session patron count using some time-of-day and day-of-week allocation of the total patron count. Finally we estimate parking for the patron load.

From this business model we estimate 125 cars parked in front of residences beginning at 4pm and 75 being recovered at midnight. This utilizes all the road margins in 2100 and 2200 blocks of Shoalmont, 5400 and 5500 blocks of Montview, and 5500 and 5600 blocks of Clay.

This disruption is sufficient to deny the parking variance and deny the CUP.

Analysis:

It is instructive to examine the neighborhood impact of the proposed Little Woodrow's from the business case. By doing some simple financials one can estimate many things about a business, including numbers of customers and parking requirements.

Simple spreadsheet business-school modeling tells a lot. Some assumptions have to be made, but ranges and averages lead to numbers which bankers and others use in deciding business cases. The capital costs, lease costs, and utilities give a floor for how much business must be conducted each month, and these are reasonably straightforward to surmise. Labor is a more volatile item, but estimates achievable. For a bar, supplies are not entered. Keg beer is about \$0.15 each 12oz serving.

Cost Base:

There are about 5000sqft of establishment. At \$120 per foot, the remodel is \$600,000. Depreciated over 5 years is \$10,000 per month. This is commercial construction with components like a walk-in cooler, bar, simple [but brand new] kitchen, and completely revised floor plan.

Similarly, lease and utilities can be estimated. The lease is a little work since there are three areas, the bar/restaurant, parking, and the two re-purposed office buildings that will be classed as "warehouses." Using the "going" rate applied to 10,000sqft was my approach. I get \$20,000/mo. Utilities are at commercial rates, include ovens, big cooler, but not much A/C as this is an indoors-is-outdoors sort of design. I've assumed \$2000/mo. This process leads to a monthly estimated capital expense of \$32,000, not considering staff/wages or insurance or supplies. In some

cases I'll estimate labor effects, but recognize that they are variable and are best used to have the capital expense be best case, with actuals higher.

Drink Count:

So, a first question is how many drinks are needed to pay the basic bills. Top line, any revenue, and not reduced by the intangibles. A first estimate would be to use a \$5 drink, but Little Woodrow's publishes Drink Specials on the Internet. \$3.20 is maybe a better price. And that would be for a 'double beer' a 24oz drink. That means that 10,000 drinks/mo have to be sold just to cover the capitol expenses of the bar. What about the higher expense including labor? Each employee, making some assumptions, will need to sell about 950 drinks/month to cover their wages/taxes/medical. Assuming the number of servers matches the customer load, but always more than 2, labor could run the number of drinks to 14,000 or 15,000 per month.

Patron Count: -Experience

So, how many customers are needed to buy the drinks, because that's the biggest factor in estimating parking. Experience with existing bars and restaurants can be used. The closest bar is Little Longhorn, directly across Burnet from the proposed Little Woodrow's. Ginny's has seating for 80 and 50 parking spaces, and patrons regularly park down Shoalmont and Clay, and at adjacent businesses. Little Woodrow's estimated occupancy of 110 - 80 bar + 30 food [plus deck]; with 47 parking spaces. The Lucy's Fried Chicken has about 30 places and patrons park in the neighborhood. So, it's easy to expect the bar to result in residents having cars along the curb. How many?

To get the number of cars it is necessary to estimate how many drinks per customer are needed to meet the financials, and then estimate how many customers per car.

Patron Count: -Calculation

To estimate drinks per customer, we need to look at the constraint of how many drinks make a drunk. An easy place to get guidance is Colleges. They have young people needing guidance, and many have ongoing issues of drunkenness. What keeps being presented is two 12oz beers the first hour will raise BAC to the DWI threshold; then roughly one beer/hr maintains that level, with variation for gender, weight, etc. Any estimate of patrons that assumes more drinks per hour would reflect a business plan based on "over-serving." So, if Little Woodrow's is selling their advertised double beers, one drink the first hour get the patron to DWI level and another double in 2 hours maintains that. A patron is in the bar 4 hours and consumes 2 of the 330 to 500 drinks per day needed for business. More drinks than that and they are "over served." Simple math shows that to cash flow there needs to be 150 to 250 customers per day.

Patron Count: -Load Cycle

What about occupancy, not all hours and days are equal. There are three 4-hour periods from noon to midnight. Assume 15% of the patrons start at lunch, 50%

start at 4pm, and the last 35% start at 8pm, we get 25 to 40 folks in the bar starting at noon, 75 to 125 from 4pm to 8pm, and 50 to 90 from 8pm to midnight. The bar may be over the 112 fire occupancy limit, but there's the deck. And, 50 to 90 cars are trying to park. This all assumes even demand day-day.

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What about weekend effect? It's not hard to assume that 70% of business is weekend, with Sunday just a little lighter than Friday and Saturday. Allocating for business cycles dramatically alters the patron load. Instead of the average 330 to 500 drinks per day with uniform business, these calculate to 625 to 975 drinks per day on weekend peaks. If the same 15%, 50%, 35% levels are assumed for these numbers then the model shows 242 drinkers in the bar from 4pm to 8pm; 170 from 8pm to midnight. This is for the assumption that each buys 2 "specials" – they have to stay for 4 hrs or they can't drink 2 without being "over served". Remember, the "Specials" are drinks like 24oz beers, and that's the amount needed to get a person to the DWI threshold.

Parking:


The next effort is to estimate parking. A widely used number is 1.4 passengers/vehicle. That means that from 4pm-8pm roughly 175 cars have to park and from 8pm to midnight 121 cars. If 50 cars park on-site, about 125 cars park in front of residences, and 75 cars being recovered at midnight.

Parallel parking a car takes about 20ft of curb. So, a residential lot can place 2 cars and leave 10ft for the driveway. Looking at Shoalmont, the E-W street just North of the proposed Little Woodrow's, and where there will soon be a traffic signal, the 2100 block has 8 lots, 4 each side. The 2200 block has 9, but the distance is comparable. Clay, just East of the site, has about 8 houses per side per block. Montview, parallel to Burnet and west has about 8 houses per side per block.

With 125 cars to park and 25 per block; all the residences are "parked out" for the 2100 and 2200 blocks of Shoalmont, 5400 and 5500 blocks of Montview, and 5500 and 5600 blocks of Clay. This is an impact that ruins neighborhoods. Experience with South Congress should indicate what this will be like. The distance restriction for parking is intended to protect residents from the intrusion and disruption of bar traffic. That protection is clearly needed here. Otherwise, at late hours, residents are subjected to couples arguing and 'fighting' about "Give me the keys, you're not driving," or, "You were flirting with him," and with car alarms, and squealing tires. If only 6% of patrons cause these disturbances, each residential block will get a wake-up event.

Patrons not local:

An argument will be made that the bar customer base is locals, those living in nearby apartments, who will walk not drive. The basic, just expenses, business analysis shows that 450 patrons per Saturday are needed. The local patrons are not there. The applicant can not demonstrate a "walk-up" clientele. Experience with Little Longhorn and with Lucy's Chicken is for cars and parking. Experience at Little



Woodrow's other Austin and Houston locations is cars. SoCo experience is cars. The applicant has argued that keeping the extra late hours is needed "So when people are planning how to spend their evening, they'll want to come to Little Woodrow's". That's an argument for a City-wide draw, not a neighborhood "let's go get a beer" discussion. It's a drive-over business model. The devastation caused in the neighborhood by the parking is such that simple assertions and hope by an applicant are insufficient to protect the rights of existing residents.

Reject the CUP:

No addenda to the CUP can remedy this imposition on the neighbors. People living for years in their houses, who have chairs on their porches, who use their yards socially, with kids swings on front yard tree limbs, are being deprived of the enjoyment of their homes so that bar cars can park. This is wrong. Deny the variance. Deny the CUP.

Joe Reynolds
512-297-4841

Barton-Holmes, Christine

From: Joe Reynolds <joe-rey@texas.net>
Sent: Friday, November 08, 2013 9:11 AM
To: Barton-Holmes, Christine
Subject: SPC--2013--0196C – Little Woodrow's Site Plan Floor Size
Attachments: Office.pdf



Follow Up Flag: Follow up
Flag Status: Flagged

Christine, would you please include this in the Commissioner's packet for Tuesday. Thanks.

--

Joe Reynolds
2611 West 49th
Austin, Texas 78731
512-454-8880

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Office/Storage and Little Woodrow's Floor Plan

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The draft floor plans for Little Woodrow's show an area of Office/Storage adjacent to the bar, across from the restrooms, but is not allocated to the bar. It is in a place one would customarily expect on-site functions.

In a meeting the afternoon of Nov 1, Staff and Neighbors were told that this was "Corporate Office & Storage." This clearly sounds like fiction. That Chinese-wall must be very high and is easily breached. Any local functions require that the space be counted against the bar size. Workforce rules require that employee time records be kept on-site, so if any time clock or time sheets kept there during the week before submitting to pay-roll, they are local bar activity and the office is not "corporate." Employee lockers in that space are local not corporate activities. Employment decisions for this bar are not corporate functions. The room is just across from the restrooms, storage of extra hand towels or tissue is a local not corporate function. Storage of clean/soiled aprons and bar towels is a local function. The list of possible activities is long and the Corporate/Bar characterization has a big impact in triggering extra parking.

Recognizing that uses claimed now may not be those that are implemented, the Commissioners should vigorously examine the claim that this is Office/Storage not under the Bar floor space allocation.

Joe Reynolds
512-454-8880

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PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

DAVID DOLAN

Your Name (please print)

213 Shoalmon Drive

Your address(es) affected by this application

[Signature]

Signature

10-12-13

Date

Daytime Telephone:

512-423-8863

Comments:

This is too much (noise traffic, noise, property, potential crime) for a residential neighborhood near school

If you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

op

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RELEVANT INFORMATION

Agent(s) are expected to attend a public hearing. However, if you do attend, you have the right to speak **AGAINST** the proposed development or project, or neighborhood or environmental organization, or any application affecting your neighborhood.

The board or commission may postpone or continue the hearing on a later date, or recommend approval or denial of the application. The board or commission announces a specific date and time for the hearing that is not later than 60 days from the date of the application.

The hearing may be appealed by a person with standing. If you are identified as a person who can appeal the decision, the board or commission will determine whether you can appeal the decision.

The hearing may include a conditional overlay which is adopted by the Land Use Commission or the City Council. If the City Council's action, there is no appeal of the decision.

The person who is the applicant or record owner communicates an interest to a board or commission.

The person who is the applicant or record owner communicates an interest to a board or commission before or during the public hearing. The person identifies the issues of concern (it may be on a notice); or the person communicates an interest to a board or commission at the public hearing;

The person who is the applicant or record owner communicates an interest to a board or commission that is within 500 feet of the subject property.

The person who is the applicant or record owner communicates an interest to a board or commission within 500 feet of the subject property or

The person who is the applicant or record owner communicates an interest to a board or commission al or neighborhood organization that has an boundaries are within 500 feet of the subject property.

The person who is the applicant or record owner communicates an interest to a board or commission led with the director of the responsible agency after the decision. An appeal form may be submitted to the board or commission.

The person who is the applicant or record owner communicates an interest to a board or commission City of Austin's land development process, www.austintexas.gov/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C
Contact: Christine Barton-Holmes, 512-974-2788
Rosemary Ramos, 512-974-2784
Public Hearing: Planning Commission, Nov 12, 2013

Your Name (please print) _____
☐ I am in favor
☒ I object

Your address(es) affected by this application _____

Signature _____ Date _____

Daytime Telephone: _____

Comments: I am ~~against~~ against
this happening.

If you use this form to comment, it may be returned to:
City of Austin
Planning and Development Review – 4th floor
Christine Barton-Holmes
P. O. Box 1088
Austin, TX 78767-8810

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PUBLIC HEARING INFORMATION

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- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
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For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Nov 12, 2013

DAVID F. OWEN

Your Name (please print)

S305 CLAY

Your address(es) affected by this application

David F. Owen

Signature

Date

Daytime Telephone: 512 687-3456

11/6/13

☐ I am in favor
☒ I object

Comments: WHY IS THE CITY ~~BEING~~ BEHINDING THE RULES FOR PARKING? CLEARLY THERE IS NOT ENOUGH PARKING FOR YET ANOTHER BAR AT THIS LOCATION. WHY AT THE CITY IS CORRECT AND TAKING A BRIBE TO PUSH THIS THROUGH? A LITTLE WOULD BE ESTABLISHMENTS ARE VERY ANTI-GAY. WHY WOULD THE CITY ALLOW YET ANOTHER HATE-FULL VENUE TO GET SPECIAL TREATMENT?

If you use this form to comment, it may be returned to:

City of Austin
Planning and Development Review - 4th floor
Christine Barton-Holmes
P. O. Box 1088
Austin, TX 78767-8810

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